

Fiscal Estimate - 2011 Session

Original Updated Corrected Supplemental

LRB Number 11-0992/1		Introduction Number SB-036	
Description The application of shoreland zoning ordinances to certain unincorporated areas			
Fiscal Effect			
State:			
<input checked="" type="checkbox"/> No State Fiscal Effect			
<input type="checkbox"/> Indeterminate			
<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget	
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Decrease Costs	
Local:			
<input type="checkbox"/> No Local Government Costs			
<input checked="" type="checkbox"/> Indeterminate			
5. Types of Local Government Units Affected			
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	<input type="checkbox"/> Towns	<input type="checkbox"/> Village <input type="checkbox"/> Cities
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input checked="" type="checkbox"/> Counties	<input type="checkbox"/> Others
2. <input type="checkbox"/> Decrease Costs	4. <input type="checkbox"/> Decrease Revenue	<input type="checkbox"/> School Districts	<input type="checkbox"/> WTCS Districts
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		
Fund Sources Affected		Affected Ch. 20 Appropriations	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS			
Agency/Prepared By DOR/ Daniel Huegel (608) 266-5705		Authorized Signature Paul Ziegler (608) 266-5773	Date 3/22/2011

Fiscal Estimate Narratives

DOR 3/22/2011

LRB Number	11-0992/1	Introduction Number	SB-036	Estimate Type	Original
Description The application of shoreland zoning ordinances to certain unincorporated areas					

Assumptions Used in Arriving at Fiscal Estimate

CURRENT LAW

In general, a shoreland is defined as the area within the following distances from the ordinary high-water mark of a navigable body of water: (a) 1,000 feet from a lake, pond, or flowage; or (b) the greater of 300 feet from a river or stream or to the landward side of the floodplain.

Under current law, every county must enact a shoreland zoning ordinance for the shorelands in the unincorporated parts of the county. If the county does not enact such an ordinance, or if the Department of Natural Resources (DNR) determines that the ordinance does not meet certain standards, the DNR can adopt a shoreland zoning ordinance for that county.

PROPOSED LAW

Under the bill, a shoreland zoning ordinance adopted by a county or by the DNR does not apply to shorelands that meet all of the following standards: (a) the majority of the buildings and structures in the affected area have been used, from January 1, 1990 to the date the bill takes effect, to conduct the affairs of small business, (b) all the roads in the area are paved, (c) the area receives public water and sewer service; and (d) the area meets all the other requirements that the DNR specifies by rule.

FISCAL EFFECT

The bill will require counties to amend their shoreland zoning ordinances. Counties will therefore incur one-time costs to make such amendments. It is possible that the ordinance changes could increase landowner challenges regarding land use in shoreland areas, leading to ongoing costs for counties. The Department of Revenue (DOR) does not have information to reasonably estimate these costs.

The bill has no effect on DOR administrative costs.

Long-Range Fiscal Implications